

## PROGRAM INTEGRITY REQUEST FOR REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 -10 of the form. Use a separate form for each policy interpretation request. Retain a copy of the Word Document for your records, and submit via email to: [PIBPolicy@dss.ca.gov](mailto:PIBPolicy@dss.ca.gov).

1. REQUESTOR NAME: Ryan Fruchtenicht	5. COUNTY: Placer county
2. PHONE NO: (916) 784-6166 EMAIL: <a href="mailto:rfruchte@placer.ca.gov">rfruchte@placer.ca.gov</a>	6. SUBJECT: Failure to cooperate with SIU Investigator
3. REGULATION CITE(S): 7 CFR 273.2(c) & (d); MPP 40-126.341, 40-157.3	7. REFERENCES: (ACLs/ACINs, COURT CASES Etc.)
4. DATE OF REQUEST: 03/01/2017	8. DATE RESPONSE NEEDED: 03/15/2017

### 9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Can an application for benefits (in this case specifically CalFresh) be denied for the applicant's failure to cooperate with an SIU Investigator after a fraud referral has been made?

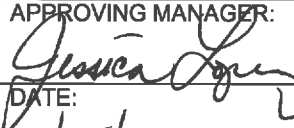
### 10. REQUESTOR'S PROPOSED ANSWER:

Yes, the case may be denied because the household has failed to cooperate with an employee of the county's Human Services Division regarding a matter directly related to their eligibility. All recognized benefit applications in California inform applicants that they must fully cooperate with County, State, or federal personnel if their case is selected for review or investigation to ensure that their eligibility and benefit level are correctly determined. Failure to cooperate in these reviews will result in loss of benefits.

### 11. CDSS RESPONSE:

Yes, for CalFresh cases, an application for benefits can be denied for the applicant's failure to cooperate if the client has been provided with opportunities to assist in verification of information as described in 7 CFR 273.2(c)(5), MPP 40-126.341, and MPP 40-157.3, and failed to cooperate.

MPP 40-126.341 states denial due to failure to cooperate must be made when a presumption of noncooperation has been established by the county welfare department (CWD), but an act of refusal has not occurred.

PROGRAM INTEGRITY ANALYST: Michael Lee	APPROVING MANAGER: 
DATE:	DATE: 3/15/2018

DATE RESPONSE RECEIVED/LOG # (CDSS Use Only):

17-09 3/2/2017

Please note: The policies expressed in this response are based on the unique set of facts presented and should not be presumed to apply in other situations.